

March 12, 2004

Exemption No. 8260
Regulatory Docket No. FAA-2004-17218

Mr. Chris Brown
President
Centurion Flight Services, Inc.
P.O. Box 5196
Palo Alto, CA 94501

Dear Mr. Brown:

By letter dated February 27, 2004, you petitioned the Federal Aviation Administration (FAA) on behalf of Centurion Flight Services, Inc. (Centurion) for an exemption from § 135.143(c)(2) of Title 14, Code of Federal Regulations (14 CFR) to the extent necessary to permit Centurion to operate certain aircraft under part 135 without a TSO-C112 (Mode S) transponder installed in the aircraft.

The FAA issued a grant of exemption in circumstances similar in all material respects to those presented in your petition. In Grant of Exemption No. 7776 (copy enclosed), the FAA found that although the ground sensors necessary for Mode S transponders are in place, the FAA is reconsidering the comments submitted in response to Notice No. 96-5, and its position on Mode S equipage requirements in relation to the current aviation environment. In May 1996, the FAA proposed to rescind the Mode S transponder requirement for all aircraft operations under part 135 and for certain aircraft operations under part 121 that are not required to have Traffic Alert and Collision Avoidance System (TCAS) II (61 FR 26036). Further, the FAA found that public interest would not be served by compelling certain individuals to purchase and install Mode S transponders.

Having reviewed your reasons for requesting an exemption, I find that they do not differ materially from those presented by the petitioner in the enclosed grant of exemption. In addition, I have determined that the reasons stated by the FAA for granting the enclosed exemption also apply to the situation you present.

AFS-04-273

In consideration of the foregoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in 49 U.S.C. §§ 40113 and 44701, delegated to

me by the Administrator, Centurion Flight Services, Inc., is granted an exemption from 14 CFR § 135.143(c)(2) to the extent necessary to operate certain aircraft, subject to the following conditions and limitations:

1. Any aircraft listed on Centurion's part 135 operations specifications at the date of issuance of this exemption may be operated when equipped with any TSO-C74b transponder or TSO-C74c transponder.
2. Any other aircraft for which installation of a transponder is needed may be operated when equipped with any TSO-C74b transponder or TSO-C74c transponder, provided notice is given to Centurion's principal operations inspector.

This exemption terminates on March 31, 2006, unless sooner superseded or rescinded.

Sincerely,

/s/

Anthony F. Fazio
Director, Office of Rulemaking